

# **EXHIBIT 8**



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October 31, 2007

Theresa Sutton, Esq.  
Orrick, Herrington & Sutcliffe LLP  
1000 Marsh Road  
Menlo Park, CA 94025

TheFacebook, Inc., et al. v. ConnectU, LLC, et al.  
Case No. 5:07-cv-01389-RS - U.S. District Court for the N.D. of California

Dear Ms. Sutton,

In previous correspondence, you identified certain testimony provided by Winston Williams that you believe would allow Mr. Williams and/or Pacific Northwest Software (PNS) to further supplement their responses to Interrogatory Nos. 3 & 4. In his deposition, Mr. Williams testified that he didn't know whether it would be possible to "reconstruct[] events to know how many e-mails were sent by ConnectU to students in California schools." Winston Williams Deposition, 156:18-20 (June 19, 2007). But, based on this testimony, as we understood your request, Facebook asked that PNS and Mr. Williams determine if it was possible to "reconstruct the events" and supplement their Interrogatory responses accordingly.

Consistent with my previous correspondence, the investigation into this issue has taken some time to complete. At the time you made your request, the principal at PNS, John Taves was out of the country. We represented that once he returned, we would investigate the matter. After Mr. Taves returned, he forwarded the files to us. Again, as we told you, these files were in a complex format and accessing the requested information was not as simple as, for example, opening an excel spreadsheet and scanning through tables. Due to the complex format, it took some time and substantial effort to put them into a format in order to determine whether these files provided additional information that would be responsive to Interrogatory Nos. 3 or 4.

Mr. Williams previously had testified that it may be possible to determine if any emails were sent to persons in California. See Winston Williams Deposition at 156:17-25 ("It would be complicated to do something of that nature, and I don't know that it has been done or is an

Theresa Sutton  
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existing function. It's maybe possible, yeah...."). After further analysis of these files, however, it is clear to Mr. Williams that the database will not provide any information that will allow him to further supplement his responses to Interrogatory Nos. 3 or 4. Further, Mr. Williams is not aware of any other source created at PNS that would provide further information than what was provided in his responses to Interrogatory Nos. 3 & 4.

In short, neither PNS nor Mr. Williams has additional information relevant to Interrogatory Nos. 3 or 4. We expect that you will withdraw the pending Motion to Compel by November 2, 2007.

Very truly yours,

A handwritten signature in black ink, appearing to read "Scott R. Mosko", with a stylized, flowing script.

Scott R. Mosko

SRM/rjh



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## FACSIMILE TRANSMITTAL

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Company: Orrick, Herrington & Sutcliffe LLP  
Fax Number: 650-614-7401  
Subject: TheFaceBook v. ConnectU

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MESSAGE

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